

REMARKS

As indicated above, this is a Preliminary Amendment for the RCE filed herewith.

Claims 7 - 9 and 12 - 14 remain pending in this patent application, claims 1 - 6, 11 and 16 - 41 having been withdrawn from consideration, and claims 10 and 15 having been canceled without prejudice or disclaimer.

Claims 7 and 9 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention.

In the Office Action dated July 10, 2007, claims 7 - 9 and 12 - 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant respectfully requests reconsideration of this rejection.

First, with respect to the Examiner's comments set forth in the paragraph bridging pages 2 and 3 of the outstanding Action, the Examiner requires more specific language to be used in the claims. The applicant submits that to amend the terms used in the claims in the manner suggested

by the Examiner would unnecessarily narrow or limit of the scope to which the applicant regards as their invention, and would be contrary to what is required under 35 U.S.C. 112, second paragraph.

Second, as to the Examiner's comment on claim 9, the applicant has amended claim 9 in order to remove the noted informality.

In view of the above, the withdrawal of the outstanding indefiniteness rejection under 35 U.S.C. 112, second paragraph, is in order, and is therefore respectfully solicited.

As to the merits of this case, claims 7, 8, 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Uekawa (U.S. Patent No. 5,885,228). The applicant respectfully requests reconsideration of this anticipation rejection.

The applicant's claimed invention, as now recited in independent claim 7, is directed a navigation device in which a user is alerted of the presence of a feature (such as, an interchange and a shop) at a predetermined (or preset) guidance position located ahead of the feature. On the other hand, Uekawa is merely a conventional navigation method in which path search is conducted with reference to areas respectively including departure point and destination and paths between the areas. Uekawa does not, expressed or implied, a navigation device for providing and setting guidance position for a feature, whereby the movement of a movable body can be considerably facilitated with

a simple data structure arrangement.

In view of the above, the applicant submits that not all of the claimed elements, as now recited in amended claim 7, are found in exactly the same situation and united in the same way to perform the identical feature in Uekawa's apparatus. Thus, there can be no anticipation of the applicant's claimed invention based on the teachings of Uekawa.

Moreover, claims 8, 12 and 13 depend on claim 7, and further limit the scope of claim 7. Thus, at least for the reasons set forth above with respect to claim 7, claims 8, 12 and 13 should now be similarly allowable.

Accordingly, the withdrawal of the outstanding rejection under 35 U.S.C. 102(b) as being anticipated by Uekawa (U.S. Patent No. 5,885,228) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

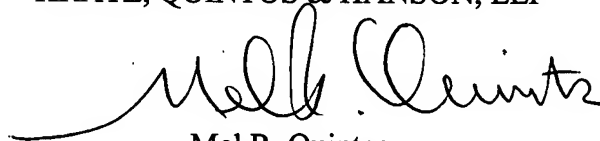
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/760,363
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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosure: Request for Continued Examination (RCE)